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03
04 UNITED STATES DISTRICT COURT
05 WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

06 UNITED STATES OF AMERICA,)
07 Plaintiff,) CASE NO.: CR07-310-RSL
08 v.)
09 LAWRENCE LEWIS GAINES III,) SUMMARY REPORT OF U.S.
10 Defendant.) MAGISTRATE JUDGE AS TO
ALLEGED VIOLATIONS
OF SUPERVISED RELEASE
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12 An initial hearing on supervised release revocation in this case was scheduled before me
13 on May 17, 2010. The United States was represented by AUSA Todd Greenberg for Lisca
14 Borichewski and the defendant by Howard Phillips. The proceedings were digitally recorded.

15 Defendant had been sentenced on or about May 16, 2008 by the Honorable Robert S.
16 Lasnik on a charge of Conspiracy to Distribute Cocaine and sentenced to five months custody,
17 three years Supervised Release. (Dkt. 66.)

18 The conditions of supervised release included requirements that defendant comply with
19 all local, state, and federal laws and with the standard conditions of supervision. Other special
20 conditions included participation in substance abuse testing and treatment, abstention from
21 alcohol, no firearms, provide access to financial information, submit to search, maintain a single
22 checking account for all financial transactions, disclose assets and liabilities, and complete 150

01 days of home confinement. (Dkt. 66 at 4.)

02 On May 21, 2009, defendant was sentenced to six months in custody for violating the
03 conditions of supervised release by failing to submit a truthful and complete written report to his
04 probation officer and failing to comply with the home confinement program. (Dkt. 95.) Defendant
05 was sentenced to 90 days on December 1, 2009 for failing to satisfactorily participate in a
06 Residential Reentry Center program. (Dkt. 104.)

07 In an application dated May 14, 2010, U.S. Probation Officer Andrea G. Porter alleged
08 the following violation of the conditions of supervised release:

09 1. Failing to satisfactorily participate in a Residential Reentry Center (RRC)
10 program, in violation of the special condition requiring him to satisfactorily participate in the
11 RRC program for 120 days.

12 Defendant was advised in full as to the charge and as to his constitutional rights. He
13 admitted the violation and waived any evidentiary hearing as to whether it occurred. I therefore
14 recommend the Court find defendant violated his supervised release as alleged, and that the
15 Court conduct a hearing limited to the issue of disposition. The next hearing will be set before
16 Judge Lasnik.

17 Pending a final determination by the Court, defendant has been released on electronic
18 monitoring and the conditions of supervision.

19 DATED this 17th day of May, 2010.

20
21 
22 Mary Alice Theiler
United States Magistrate Judge

cc: District Judge: Honorable Robert S. Lasnik
AUSA: Lisca Borichewski
Defendant's attorney: Howard Phillips
Probation officer: Andrea Porter